

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

CHRISTOPHER D. WHITE,

Civil No. 10-0763 (JRT/JSM)

Plaintiff,

v.

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

WARDEN BRIAN R. JETT,

Defendant.

Christopher D. White, #42780-037, Federal Medical Center – Rochester, Post Office Box 4000, Rochester, MN 55903, pro se plaintiff.

Gregory Brooker, Assistant United States Attorney, **OFFICE OF THE UNITED STATES ATTORNEY**, 300 South Fourth Street, Suite 600, Minneapolis, MN 55415, for respondent.

The above-entitled matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Janie S. Mayeron, dated April 2, 2010, and no objections having been filed to said Report and Recommendation.

Based upon the Report and Recommendation of the Magistrate Judge, and all of the files, records and proceedings herein,

IT IS HEREBY ORDERED that:

1. Petitioner's motion for appointment of counsel, [Docket No. 2], is **DENIED**;
2. Petitioner's application for habeas corpus relief under 28 U.S.C. § 2241, [Docket No. 1], is **DENIED**; and

3. This action is **DISMISSED WITHOUT PREJUDICE**.

Dated: April 29, 2010
at Minneapolis, Minnesota

s/ John R. Tunheim
JOHN R. TUNHEIM
United States District Judge